BEFORE THE

Leeds Avenue (1231 Leeds Terrace) 13th Election District 1st Councilmanic District

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 89-55-A

Frank J. Giotis, et ux Petitioners * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 6 feet in lieu of the required 10 feet for a proposed addition, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Mrs. Linda Giotis, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 1231 Leeds Terrace, is zoned D.R. 5.5 and is currently improved with a two-story block and frame single-family dwelling. The Petitioner testified that she and her husband have resided on the property for the past six years. The second floor is currently used for attic space only. The Petitioners propose constructing an addition to the existing dwelling and converting the second floor of the original structure into additional habitable space. The proposed addition will allow the Petitioners to construct a stairway to the upper level and have additional space in the living and dining room areas. Testimony indicated that no stairway can be constructed in the present structure without chopping up the rooms and making them small and of questionable use. The Petitioner testified she spoke to the adjoining neighbor who indicated he had no objection. Ms. Giotis testified that without the requested variance, the use of the second floor area as additional habitable space would not be feasible, thereby resulting in

all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

lic hearing on this Petition held, and for the reasons given above, the

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of September, 1988 that the Petition for Zoning Variance to permit a side yard setback of 6 feet in lieu of the required 10 feet for a proposed addition, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

practical difficulty upon her and her husband.

Based upon the testimony and evidence presented at the hearing,

Pursuant to the advertisement, posting of the property, and pubrequested variance should be granted.

restriction:

11 H Nastanca ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

C/V2

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesangake Avenue in Towers. Maryland as follows: W. Chesapeake Avenue in Towson. Maryland as follows:

Petition for Zoning Variance CASE MEMERI 89-55-A NS Leeds Terrace, 622' M Leeds Avenue (1231 Leads Terrace) 13th Election District - 1st Councilmenic Petitioner(s): Frenk J. Goitis, et ux HEARING SCHEDULED: THURSDAY, SEPTEMBER 8, 1988 at 2:30 p.m.

Variance to allow a side setback of 5 feat in lieu of the required 10 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES Zoning Commissioner of Baltimore County Frank J. Girtis, et ux

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 494-3353 J. Robert Haines

Mr. & Mrs. Frank J. Giotis 1231 Leeds Terrace

Baltimore, Maryland 21227 Petition for Zoning Variance CASE MEHERI 89-55-A NS Leeds Terrace, 522' W Leeds Avenue

(1231 Leeds Terrace) 13th Election District - 1st Councilmenic Petitioner(s): Frank J. Goitis, et ux HEARING SCHEDULED: THURSDAY, SEPTEMBER 8, 1988 at 2:30 p.m.

Dear Mr. & Mrs. Giotiss

Please be advised that _____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring riease make your check payable to ballimore county, ranyland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before

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BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT	No. 059129	post set(s), the each set not
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Baltimore County Zoning Commissioner

494-3353

J. Robert Haines
Zoning Commissioner

Office of Planning & Zoning Towson, Maryland 21204

> cc: People's Counsel File

Mr. and Mrs. Frank J. Giotis 1231 Leeds Terrace Baltimore, Maryland 21227

Dennis F. Rasmussen
County Executive RE: PETITION FOR ZONING VARIANCE N/S Leeds Terrace, 622' W of Leeds Avenue

13th Election District - 1st Councilmanic District Case No'. 89-55-A

(1231 Leeds Terrace)

Dear Mr. & Mrs. Giotis: Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

A Medania ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

CERTIFICATE OF POSTING CONING DEPARTMENT OF BALTIMORE COUNTY

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strict 13th Wariame	Det	e of Posting August 15-FF
itioner: Frank J. L	iotis et u	×
cation of property: N/Side 1	Leeds Terros Terrace)	x 6 22 W G Luda Mr.

Posted by Date of return: August 19-88

NOTICE OF HEARING

The Zoning Commissioner, of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follower.

Petition for Zoning Variance Case number: 89-55-A NS Leeds Terrace, 622'

(1231 Leeds Terrace)
13th Election District
1st Councilmanic

Petitioner(s): Frank J. Goitis, et ux Hearing Date: Thursday, Sept. 8, 1988 at 2:30 p.m. Variance to allow a side

quired 10 feet. In the event that this Petition is

CERTIFICATE OF PUBLICATION

TOWSON, MD., MICHAEL 19_ 19_ 18 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of _____ successive weeks, the first publication appearing on . 4110410+16 , 1928

THE JEFFERSONIAN,

granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Com-missioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown, Such request must by in writing and received in this office by the date of the hearing set above or presented at the hearing.

PETITION FOR ZONING VARIANCE

TO THE ZCNING COMMISSIONER OF BALTIMORE COUNTY: The undersigned, legal owner(a) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.3.C.1 To allow a side setback of 6 ft

in lieu of the required 10 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) 1. Unable to access upstairs living space without such addition يم کي

"rertised as prescribed by Zoning Regulations. above Variance advertising, posting, etc., upon filing of this to be bound by the zoning regulations and restrictions of the Zoning Law For Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition. Legal Owner(s): (Type or Print Name) Frank J. Giotis (Dype or Print Name) Linda L. Giotis 1231 Leeds Terrace Baltimore, MD 21227 City and State Name, address and phone number of legal owner, contract purchaser or representative to be contacted City and State Name Frank J. Giotis

of ______, 19_8, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of ______, 19_97, at 2.30 o'clock

Attorney's Telephone No.:

1231 Leeds Terrace

ESTIMATED LENGTH OF HEARING -1/EHR. +1NR. / COOT STATES

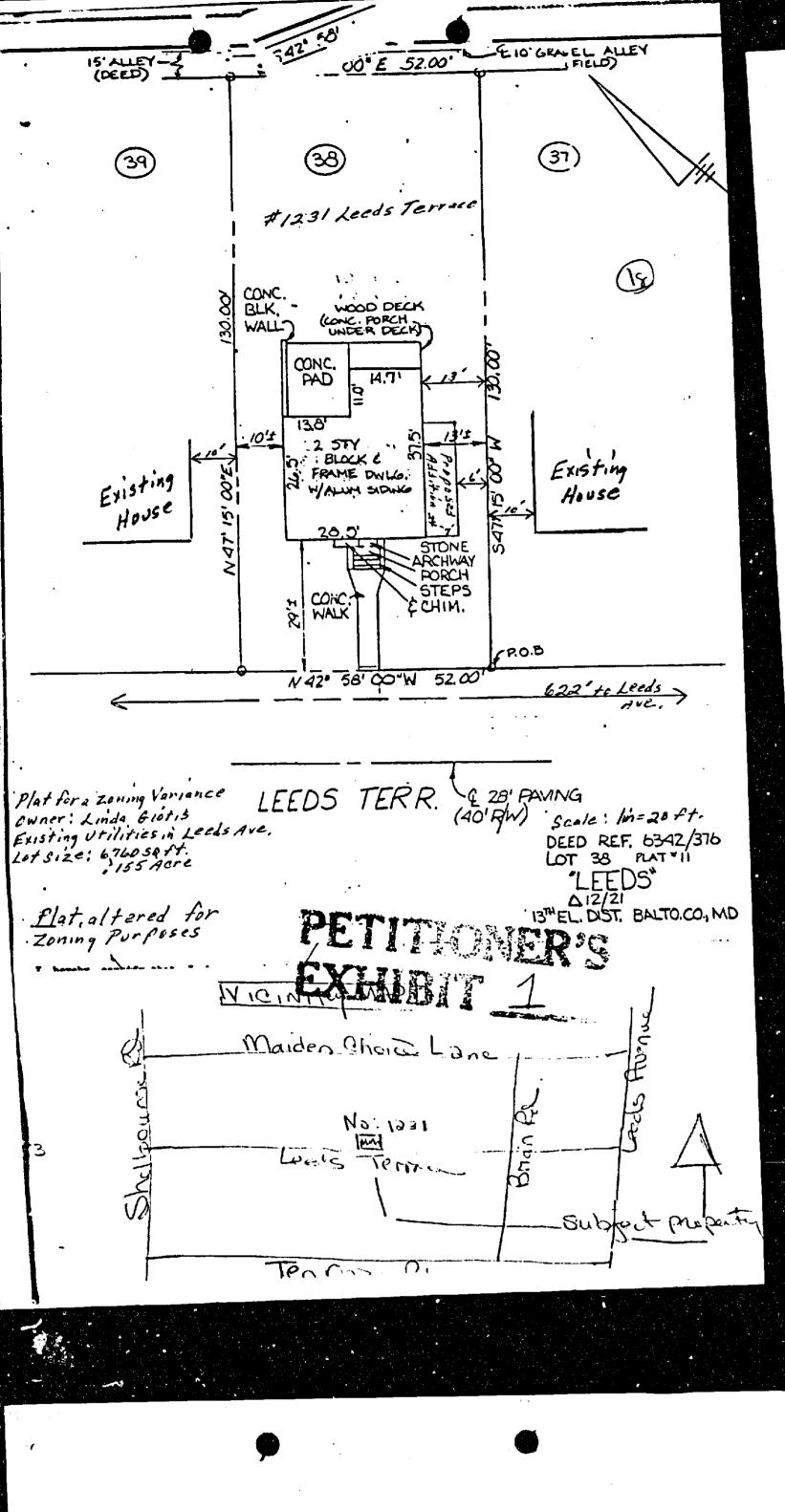
AVAILABLE FOR HEARING

PON./TUES./WED. - NEXT TWO MONTHS

Zoning Commissioner of Baltimore County.

REVIEWED BY: DATE 6-16-68

Located on the northwest side of Leeds
Terrace recorded ampng the Land Records of
Baltimore County in Liber 12 folio 21 of the subdivision 'Leeds', lot no. 38. Also Known as 1231 Leeds Tenrace.



89-55-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this day of _____

Petitioner Frank J. Giotis, et ux Petitioner's Attorney

James E. Dyer Chairman, Zoning Plans Received by: Advisory Committee

Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500

Paul H. Reincke Chief

J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204



Re: Property Owner: Frank J. Giotis, et ux

Location: NS Leeds Terrace, 622 ft. W of Leeds Ave. (1231 Leeds Terrace)

Zoning Agenda: Meeting of June 28,1988 Item No.: #453

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Noted and 7-8-88 Approved: Planning Group

Special Inspection Division

BARTIMORE COUNTY, MARYENNI

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner

July 26, 1988

FROM P. David Fields Director
Office of Planning and Zoning

SUBJECT Zoning Petitions: #89-30-A 89-59-A 89-55-A, 89-60-A, 89-61-A, 89-64-A, 89-65-A, 89-83-A 89-66-SpHA

There are no comprehensive planning factors requiring comment on the subject petitions.

Office of Planning and Zoning

PDF/jat cc: Shirley Hess, People's Counsel J/G. Hoswell Zoning File

ZONING OFFICE

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 191-3551

July 18, 1988

Mr. J. Robert Haines Zoning Commisioner County Office Building Towson, Maryland 21204



Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 391, 413, 438, 439, 442, 443, 444, 446, 447, 448, 450, 451, 452, 453) 454, 455, 456, and 457.

Very truly yours,

Stephen E. Weber, P.E. Assistant Traffic Engineer

SEW/RF/cps

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

August 29, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 21204

MEMBERS

Department of Traffic Engineering

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Industrial

Zoning Administration

State Roads Commission

Bureau of

Mr. & Mrs. Frank J. Giotis 1231 Leeds Terrace Baltimore, Maryland 21227

> RE: Item No. 453 - Case No. 89-55-A Petitioner: Frank J. Giotis, et ux Petition for Zoning Variance

Dear Mr. & Mrs. Giotis:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James & Dyer/dt Zoning Plans Advisory Committee

JED:dt